

Office Action Summary

Application No.

09/329,182

Applicant(s)

LECLAIR ET AL.

Examiner

Thu Ha T. Nguyen

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 1999.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: _____

DETAILED ACTION

1. Claims **1- 14** are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 37 1(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-14 are rejected under 35 U.S.C. § 102(e) as being anticipated by **Sugiyama et al.**, (hereinafter Sugiyama) U.S. Patent No. **5,996,029**.

4. As to claim 1, **Sugiyama** teaches the invention as claimed, including a method for remote execution of an application over a network comprising a destination device and an input device, the method comprising the operations, performed by the input device (abstract), of:

receiving input data (col. 1 lines 63-col. 2 lines 10, col. 2 lines 44-55, col. 16 lines 48-52),

receiving information identifying a destination address (col. 10 lines 33-53, col. 18 lines 5-25),

initiating transmission of the input data by notifying the destination device that data is ready for transmission (figures 23, 26, col. 31 lines 25-32, col. 31 lines 1-29),

receiving a request from the destination device (col. 10 lines 33-53, col. 12 lines 21-31, col. 12 lines 57-62, col. 37 lines 28-60, col. 55 lines 16-43),

transmitting the input data to a location based on the request from the destination device (col. 35 lines 23-29, col. 37 lines 28-60, col. 38 lines 34-48, col. 56 lines 19-38).

5. As to claim 2, **Sugiyama** teaches the invention as claimed, wherein transmitting the input data includes: transmitting the input data to a network location remote from the destination device based on the request (col. 1 lines 22-29, col. 35 lines 23-29, col. 37 lines 28-60, col. 38 lines 34-48).

6. As to claim 3, **Sugiyama** teaches the invention as claimed, further comprising converting the input data to a format based on the request (col.1 lines 49-52, col. 10 lines 5-13).

7. As to claim 4, **Sugiyama** teaches the invention as claimed, further comprising transmitting status information in response to a status request (figures 43, 54-57, col. 16 lines 55-60, col. 25 lines 56-col. 26 lines 10, col. 32 lines 14-22, col. col. 80 lines 20-30).

8. As to claim 5, **Sugiyama** teaches the invention as claimed, including: computer-readable medium containing instructions for remote execution of an application in a network comprising an input device and a destination device remote from the input device, the instructions corresponding to tasks executable by a computer and performed by the input device (abstract, col. 3 lines 61-col. 4 lines 19), for:

receiving input data (col. 1 lines 63-col. 2 lines 10, col. 2 lines 44-55, col. 16 lines 48-52),

receiving information identifying a destination address (col. 10 lines 33-53, col. 18 lines 5-25),

initiating transmission of the input data by notifying the destination device that data is ready for transmission (figures 23, 26, col. 31 lines 25-32, col. 31 lines 1-29),

receiving a request from the destination device (col. 10 lines 33-53, col. 12 lines 21-31, col. 12 lines 57-62, col. 37 lines 28-60, col. 55 lines 16-43),

transmitting the input data to a location based on the request from the destination device (col. 35 lines 23-29, col. 37 lines 28-60, col. 38 lines 34-48, col. 56 lines 19-38).

9. As to claim 6, **Sugiyama** teaches the invention as claimed, wherein transmitting the input data includes: transmitting the input data to a network location remote from the destination device based on the request (col. 1 lines 22-29, col. 35 lines 23-29, col. 37 lines 28-60, col. 38 lines 34-48).

10. As to claim 7, **Sugiyama** teaches the invention as claimed, further comprising: converting the input data to a format based on the request (col.1 lines 49-52, col. 10 lines 5-13).

11. As to claim 8, **Sugiyama** teaches the invention as claimed, including further comprising: transmitting status information in response to a status request (figures 43, 54-57, col. 16 lines 55-60, col. 25 lines 56-col. 26 lines 10, col. 32 lines 14-22, col. col. 80 lines 20-30).

12. As to claim 9, **Sugiyama** teaches the invention as claimed, including an apparatus for controlling data in a network comprising an input device and a destination device remote from the input device (abstract, col. 4 lines 10-19), the apparatus comprising:

a memory having program instructions (figures 1, 2, col. 13 lines 19-col. 14 lines 50),

a processor configured to receive input data (figures 3, 8, col. 9 lines 27-35, col. 13 lines 19-31, col. 14 lines 55-65),

receive information identifying a destination address (col. 10 lines 33-53, col. 18 lines 5-25),

initiate transmission of the input data by notifying the destination device that data is ready for transmission (figures 23, 26, col. 31 lines 25-32, col. 31 lines 1-2),

receive a request from the destination device (col. 10 lines 33-53, col. 12 lines 21-31, col. 12 lines 57-62, col. 37 lines 28-60, col. 55 lines 16-43),

transmit the input data to a location based on the request from the destination device (col. 35 lines 23-29, col. 37 lines 28-60, col. 38 lines 34-48, col. 56 lines 19-38).

13. As to claim 10, **Sugiyama** teaches the invention as claimed, wherein the processor configured to transmit the input data includes a processor configured to: transmit the input data to a network location remote from the destination device based on the request (col. 1 lines 22-29, col. 35 lines 23-29, col. 37 lines 28-60, col. 38 lines 34-48).

14. As to claim 11, **Sugiyama** teaches the invention as claimed, wherein the processor is further configured to: convert the input data to a format based on the request (col.1 lines 49-52, col. 10 lines 5-13).

15. As to claim 12, **Sugiyama** teaches the invention as claimed, wherein the processor is further configured to: transmit status information in response to a status request (figures 43, 54-57, col. 16 lines 55-60, col. 25 lines 56-col. 26 lines 10, col. 32 lines 14-22, col. col. 80 lines 20-30).

16. As to claim 13, **Sugiyama** teaches the invention as claimed, including a data control system comprising an input device and a destination device operatively connected via a network (figures 1, 2, 3, abstract), the system comprising:

an input device for receiving input data (figures 3, 8, col. 1 lines 63-col. 2 lines 10, col. 2 lines 44-55, col. 9 lines 27-35, col. 13 lines 19-31, col. 14 lines 55-65, col. 16 lines 48-52),

receiving information identifying a destination address (col. 10 lines 33-53, col. 18 lines 5-25),

initiating transmission of the input data by notifying the destination device that data is ready for transmission (figures 23, 26, col. 31 lines 25-32, col. 31 lines 1-2),

receiving a request from the destination device (col. 10 lines 33-53, col. 12 lines 21-31, col. 12 lines 57-62, col. 37 lines 28-60, col. 55 lines 16-43),

transmitting the input data to a location based on the request from the destination device (col. 35 lines 23-29, col. 37 lines 28-60, col. 38 lines 34-48, col. 56 lines 19-38),

a destination device for transmitting a request to the input device based on the notification from the input device (col. 10 lines 33-53),

retrieving the input data from the input device based on the request (col. 20 lines 29-50, col. 35 lines 23-29, col. 37 lines 28-60, col. 38 lines 34-48, col. 52 lines 10-67, col. 56 lines 19-38).

17. As to claim 14, **Sugiyama** teaches the invention as claimed, including a network comprising a network scanner and a destination device (figure 1, abstract), the network scanner comprising:

an input mechanism for receiving input data (figures 3, 8, col. 1 lines 63-col. 2 lines 10, col. 2 lines 44-55, col. 9 lines 27-35, col. 13 lines 19-31, col. 14 lines 55-65, col. 16 lines 48-52),

a controller for receiving information identifying a destination address (figure 1, element 12, col. 10 lines 33-53, col. 18 lines 5-25),

initiating transmission of the input data by notifying the destination device that data is ready for transmission (figures 23, 26, col. 31 lines 25-32, col. 31 lines 1-2),

receiving a request from the destination device (col. 10 lines 33-53, col. 12 lines 21-31, col. 12 lines 57-62, col. 37 lines 28-60, col. 55 lines 16-43),

transmitting the input data to a location based on the request from the destination device (col. 35 lines 23-29, col. 37 lines 28-60, col. 38 lines 34-48, col. 56 lines 19-38).

Conclusion

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Ha Nguyen, whose telephone number is (703)

Application/Control Number: 09/329,182
Art Unit: 2155

Page 9

305-7447. The examiner can normally be reached Monday through Friday from 7:00 AM to 4:00 PM.

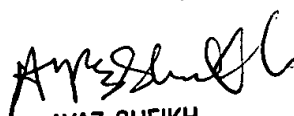
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, SPE Ayaz R. Sheikh, can be reached at (703) 305-9648.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

The fax number for art unit 2155 is (703) 305-7201.

Thu Ha Nguyen

November 21, 2001


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Attachment for PTO-948 (Rev. 03/01, or earlier)
6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes ~~incorporated~~ therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.